

IN THE
UNITED STATES
PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application)
Applicant: RUBBIA et al.)
Serial No.: 09/446,144)
Filed: March 2, 2000)
For: NEUTRON-DRIVEN)
ELEMENT TRANSMUTER)
Examiner: Green, Jr., Daniel Lawson)
Group Art Unit: 3641)

RESPONSE TO NOTICE OF
NON-COMPLIANT AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-1325.

In response to the Office Action mailed January 9, 2008, enclosed please find a listing of the claims, wherein Claim 28 depends from Claim 17. Applicant respectfully requests that the enclosed listing of claims, pages 2 through 12, replace all prior listing of

PATZIK, FRANK & SAMOTNY LTD.
150 South Wacker Drive
Suite 1500
Chicago, Illinois 60606
Telephone (312) 551-8300
Facsimile (312) 551-1101

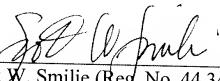
| | |
|-------------------|--------|
| Max Shaftal | 31,422 |
| Michael L. Kenaga | 34,639 |
| Jordon Herzog | 38,182 |
| Scott Smilie | 44,341 |

claims. Applicant respectfully submits that the amendment is now in condition for examination by the Examiner.

Applicant believes that no charges or fees are required with this correspondence. However, if any charges or fees must be paid in connection with the following communication, they may be paid out of our deposit account 50-1325. Should anything further be required, a telephone call to the undersigned attorney is respectfully solicited.

Respectfully submitted,

Dated: January 23, 2008

By: 
Scott W. Smilie (Reg. No. 44,341)
Attorney for Applicants